

Part VIII: Primitive Accumulation

Chapter Twenty-Eight

Bloody Legislation against the Expropriated, from the end of the 15th Century

Forcing Down of Wages by Acts of Parliament



The proletariat created by the breaking up of the bands of feudal retainers and by the forcible expropriation of the people from the soil, this "free" proletariat could not possibly be absorbed by the nascent manufactures as fast as it was thrown upon the world. On the other hand, these men, suddenly dragged from their wonted mode of life, could not as suddenly adapt themselves to the discipline of their new condition. They were turned *en masse* into beggars, robbers, vagabonds, partly from inclination, in most cases from stress of circumstances. Hence at the

end of the 15th and during the whole of the 16th century, throughout Western Europe a bloody legislation against vagabondage. The fathers of the present working-class were chastised for their enforced transformation into vagabonds and paupers. Legislation treated them as "voluntary" criminals, and assumed that it depended on their own good will to go on working under the old conditions that no longer existed.

In England this legislation began under Henry VII.

Henry VIII. 1530: Beggars old and unable to work receive a beggar's licence. On the other hand, whipping and imprisonment for sturdy vagabonds. They are to be tied to the cart-tail and whipped until the blood streams from their bodies, then to swear an oath to go back to their birthplace or to where they have lived the last three years and to "put themselves to labour." What grim irony! In 27 Henry VIII. the former statute is repeated, but strengthened with new clauses. For the second arrest for vagabondage the whipping is to be repeated and half the ear sliced off; but for the third relapse the offender is to be executed as a hardened criminal and enemy of the common weal.

Edward VI.: A statute of the first year of his reign, 1547, ordains that if anyone refuses to work, he shall be condemned as a slave to the person who has denounced him as an idler. The master shall feed his slave on bread and water, weak broth and such refuse meat as he thinks fit. He has the right to force him to do any work, no matter how disgusting, with whip and chains. If the slave is absent a fortnight, he is condemned to slavery for life and is to be branded on forehead or back with the letter S; if he runs away thrice, he is to be executed as a felon. The master can sell him, bequeath him, let him out on hire as a slave, just as any other personal chattel or cattle. If the slaves attempt anything against the masters, they are also to be executed. Justices of the peace, on information, are to hunt the rascals down. If it happens that a vagabond has been idling about for three days, he is to be taken to his birthplace, branded with a red-hot iron with the letter V on the breast and be set to work, in chains, in the streets or at some other labour. If the vagabond gives a false birthplace, he is then to become the slave for life of this place, of its inhabitants, or its corporation, and to be branded with an S. All persons have the right to take away the children of the vagabonds and to keep them as apprentices, the young men until the 24th year, the girls until the 20th. If they run away, they are to become up to this age the slaves of their masters, who can put them in irons, whip them, &c., if they like. Every master may put an iron ring round the neck, arms or legs of his slave, by which to know him more easily and to be more certain of him. [1] The last part of this statute provides, that certain poor people may be employed by a place or by persons, who are willing to give them

food and drink and to find them work. This kind of parish-slaves was kept up in England until far into the 19th century under the name of "roundsmen."

Elizabeth, 1572: Unlicensed beggars above 14 years of age are to be severely flogged and branded on the left ear unless some one will take them into service for two years; in case of a repetition of the offence, if they are over 18, they are to be executed, unless some one will take them into service for two years; but for the third offence they are to be executed without mercy as felons. Similar statutes: 18 Elizabeth, c. 13, and another of 1597. [2]

James 1: Any one wandering about and begging is declared a rogue and a vagabond. Justices of the peace in petty sessions are authorised to have them publicly whipped and for the first offence to imprison them for 6 months, for the second for 2 years. Whilst in prison they are to be whipped as much and as often as the justices of the peace think fit.... Incurable and dangerous rogues are to be branded with an R on the left shoulder and set to hard labour, and if they are caught begging again, to be executed without mercy. These statutes, legally binding until the beginning of the 18th century, were only repealed by 12 Anne, c. 23.

Similar laws in France, where by the middle of the 17th century a kingdom of vagabonds (truands) was established in Paris. Even at the beginning of Louis XVI.'s reign (Ordinance of July 13th, 1777) every man in good health from 16 to 60 years of age, if without means of subsistence and not practising a trade, is to be sent to the galleys. Of the same nature are the statute of Charles V. for the Netherlands (October, 1537), the first edict of the States and Towns of Holland (March 10, 1614), the "Plakaat" of the United Provinces (June 26, 1649), &c.

Thus were the agricultural people, first forcibly expropriated from the soil, driven from their homes, turned into vagabonds, and then whipped, branded, tortured by laws grotesquely terrible, into the discipline necessary for the wage system

It is not enough that the conditions of labour are concentrated in a mass, in the shape of capital, at the one pole of society, while at the other are grouped masses of men, who have nothing to sell but their labour-power. Neither is it enough that they are compelled to sell it voluntarily. The advance of capitalist production develops a working-class, which by education, tradition, habit, looks upon the conditions of that mode of production as self-evident laws of Nature. The organisation of the capitalist process of production, once fully developed, breaks down all resistance. The constant generation of a relative surplus-population keeps the law of supply and demand of labour, and therefore keeps wages, in a rut that corresponds with the wants of capital. The dull compulsion of economic relations completes the subjection of the labourer to the capitalist. Direct force, outside

economic conditions, is of course still used, but only exceptionally. In the ordinary run of things, the labourer can be left to the "natural laws of production," i.e., to his dependence on capital, a dependence springing from, and guaranteed in perpetuity by, the conditions of production themselves'. It is otherwise during the historic genesis of capitalist production. The bourgeoisie, at its rise, wants and uses the power of the state to "regulate" wages, i.e., to force them within the limits suitable for surplus-value making, to lengthen the working-day and to keep the labourer himself in the normal degree of dependence. This is an essential element of the so-called primitive accumulation.

The class of wage-labourers, which arose in the latter half of the 14th century, formed then and in the following century only a very small part of the population, well protected in its position by the independent peasant proprietary in the country and the guild-organisation in the town. In country and town master and workmen stood close together socially. The subordination of labour to capital was only formal — *i.e.*, the mode of production itself had as yet no specific capitalistic character. Variable capital preponderated greatly over constant. The demand for wage-labour grew therefore, rapidly with every accumulation of capital, whilst the supply of wage-labour followed but slowly. A large part of the national product, changed later into a fund of capitalist accumulation, then still entered into the consumption-fund of the labourer.

Legislation on wage-labour (from the first, aimed at the exploitation of the labourer and, as it advanced, always equally hostile to him), [3] is started in England by the Statute of Labourers, of Edward III., 1349. The ordinance of 1350 in France, issued in the name of King John, corresponds with it. English and French legislation run parallel and are identical in purport. So far as the labour-statutes aim at compulsory extension of the working-day, I do not return to them, as this point was treated earlier (Chap. X., Section 5).

The Statute of Labourers was passed at the urgent instance of the House of Commons. A Tory says naively: "Formerly the poor demanded such *high* wages as to threaten industry and wealth. Next, their wages are so low as to threaten industry and wealth equally and perhaps more, but in another way." [4] A tariff of wages was fixed by law for town and country, for piece-work and day-work. The agricultural labourers were to hire themselves out by the year, the town ones "in open market." It was forbidden, under pain of imprisonment, to pay higher wages than those fixed by the statute, but the taking of higher wages was more severely punished than the giving them. [So also in Sections 18 and 19 of the Statute of Apprentices of Elizabeth, ten days' imprisonment is decreed for him that pays the higher wages, but twenty-one days for him that receives them.] A statute of 1360 increased the penalties and authorised the masters to extort labour at the legal rate

of wages by corporal punishment. All combinations, contracts, oaths, &c.. by which masons and carpenters reciprocally bound themselves, were declared null and void. Coalition of the labourers is treated as a heinous crime from the 14th century to 1825, the year of the repeal of the laws against Trades' Unions. The spirit of the Statute of Labourers of 1349 and of its offshoots, comes out clearly in the fact, that indeed a maximum of wages is dictated by the State, but on no account a minimum.

In the 16th century, the condition of the labourers had, as we know, become much worse. The money wage rose, but not in proportion to the depreciation of money and the corresponding rise in the prices of commodities. Wages, therefore, in reality fell. Nevertheless, the laws for keeping them down remained in force, together with the ear-clipping and branding of those "whom no one was willing to take into service." By the Statute of Apprentices 5 Elizabeth, c. 3, the justices of the peace were empowered to fix certain wages and to modify them according to the time of the year and the price of commodities. James 1. extended these regulations of labour also to weavers, spinners, and all possible categories of workers. [5] George II. extended the laws against coalitions of labourers to manufacturers. In the manufacturing period *par excellence*, the capitalist mode of production had become sufficiently strong to render legal regulation of wages as impracticable as it was unnecessary; but the ruling classes were unwilling in case of necessity to be without the weapons of the old arsenal. Still, 8 George II. forbade a higher day's wage than 2s. 7 1/2d. for journeymen tailors in and around London, except in cases of general mourning; still, 13 George III., c. 68, gave the regulation of the wages of silk-weavers to the justices of the peace; still, in 1706, it required two judgments of the higher courts to decide, whether the mandates of justices of the peace as to wages held good also for non-agricultural labourers; still, in 1799, an act of Parliament ordered that the wages of the Scotch miners should continue to be regulated by a statute of Elizabeth and two Scotch acts of 1661 and 1671. How completely in the meantime circumstances had changed, is proved by an occurrence unheard-of before in the English Lower House. In that place, where for more than 400 years laws had been made for the maximum, beyond which wages absolutely must not rise, Whitbread in 1796 proposed a legal minimum wage for agricultural labourers. Pitt opposed this, but confessed that the "condition of the poor was cruel." Finally, in 1813, the laws for the regulation of wages were repealed. They were an absurd anomaly, since the capitalist regulated his factory by his private legislation, and could by the poor-rates make up the wage of the agricultural labourer to the indispensable minimum. The provisions of the labour statutes as to contracts between master and workman, as to giving notice and the like, which only allow of a civil action against the contract-breaking master, but on the contrary permit a criminal action against the contract-breaking workman, are to this hour (1873) in full force. The barbarous laws against Trades' Unions fell in 1825 before the threatening bearing of the proletariat. Despite this, they fell only in part. Certain beautiful fragments of the old

statute vanished only in 1859. Finally, the act of Parliament of June 29, 1871, made a pretence of removing the last traces of this class of legislation by legal recognition of Trades' Unions. But an act of Parliament of the same date (an act to amend the criminal law relating to violence, threats, and molestation), re-established, in point of fact, the former state of things in a new shape. By this Parliamentary escamotage the means which the labourers could use in a strike or lock-out were withdrawn from the laws common to all citizens, and placed under exceptional penal legislation, the interpretation of which fell to the masters themselves in their capacity as justices of the peace. Two years earlier, the same House of Commons and the same Mr. Gladstone in the well-known straightforward fashion brought in a bill for the abolition of all exceptional penal legislation against the working-class. But this was never allowed to go beyond the second reading, and the matter was thus protracted until at last the "great Liberal 'party," by an alliance with the Tories, found courage to turn against the very proletariat that had carried it into power. Not content with this treachery, the "great Liberal party" allowed the English judges, ever complaisant in the service of the ruling classes, to dig up again the earlier laws against "conspiracy," and to apply them to coalitions of labourers. We see that only against its will and under the pressure of the masses did the English Parliament give up the laws against Strikes and Trades' Unions, after it had itself, for 500 years, held, with shameless egoism, the position of a permanent Trades' Union of the capitalists against the labourers.

During the very first storms of the revolution, the French bourgeoisie dared to take away from the workers the right of association but just acquired. By a decree of June 14, 1791, they declared all coalition of the workers as "an attempt against liberty and the declaration of the rights of man," punishable by a fine of 500 livres, together with deprivation of the rights of an active citizen for one year. [6] This law which, by means of State compulsion, confined the struggle between capital and labour within limits comfortable for capital, has outlived revolutions and changes of dynasties. Even the Reign of Terror left it untouched. It was but quite recently struck out of the Penal Code. Nothing is more characteristic than the pretext for this bourgeois *coup d'état*. "Granting," says Chapelier, the reporter of the Select Committee on this law, "that wages ought to be a little higher than they are, ... that they ought to be high enough for him that receives them, to be free from that state of absolute dependence due to the want of the necessaries of life, and which is almost that of slavery," yet the workers must not be allowed to come to any understanding about their own interests, nor to act in common and thereby lessen their "absolute dependence, which is almost that of slavery;" because, forsooth, in doing this they injure "the freedom of their cidevant masters, the present entrepreneurs," and because a coalition against the despotism of the quondam masters of the corporations is — guess what! — is a restoration of the corporations abolished by the French constitution. [7]

Genesis of the Capitalist Farmer

Now that we have considered the forcible creation of a class of outlawed proletarians, the bloody discipline that turned them into wage-labourers, the disgraceful action of the State which employed the police to accelerate the accumulation of capital by increasing the degree of exploitation of labour, the question remains: whence came the capitalists originally? For the expropriation of the agricultural population creates, directly, none but the greatest landed proprietors. As far, however, as concerns the genesis of the farmer, we can, so to say, put our hand on it, because it is a slow process evolving through many centuries. The serfs, as well as the free small proprietors, held land under very different tenures, and were therefore emancipated under very different economic conditions. In England the first form of the farmer is the bailiff, himself a serf. His position is similar to that of the old Roman *villicus*, only in a more limited sphere of action. During the second half of the 14th century he is replaced by a farmer, whom the landlord provided with seed, cattle and implements. His condition is not very different from that of the peasant. Only he exploits more wage-labour. Soon he becomes a metayer, a half-farmer. He advances one part of the agricultural stock, the landlord the other. The two divide the total product in proportions determined by contract. This form quickly disappears in England, to give the place to the farmer proper, who makes his own capital breed by employing wage-labourers, and pays a part of the surplus-product, in money or in kind, to the landlord as rent. So long, during the 15th century, as the independent peasant and the farm-labourer working for himself as well as for wages, enriched themselves by their own labour, the circumstances of the farmer, and his field of production, were equally mediocre. The agricultural revolution which commenced in the last third of the 15th century, and continued during almost the whole of the 16th (excepting, however, its last decade), enriched him just as speedily as it impoverished the mass of the agricultural people. [1]

The usurpation of the common lands allowed him to augment greatly his stock of cattle, almost without cost, whilst they yielded him a richer supply of manure for the tillage of the soil. To this was added in the 16th century a very important element. At that time the contracts for farms ran for a long time, often for 99 years. The progressive fall in the value of the precious metals, and therefore of money, brought the farmers golden fruit. Apart from all the other circumstances discussed

above, it lowered wages. A portion of the latter was now added to the profits of the farm. The continuous rise in the price of corn, wool, meat, in a word of all agricultural produce, swelled the money capital of the farm without any action on his part, whilst the rent he paid (being calculated on the old value of money) diminished in reality. [2] Thus they grew rich at the expense both of their labourers and their landlords. No wonder, therefore, that England, at the end of the 16th century, had a class of capitalist farmers, rich, considering the circumstances of the time. [3]

Chapter Thirty

Reaction of the Agricultural Revolution on Industry

Creation of the Home-Market for Industrial Capital

The expropriation and expulsion of the agricultural population, intermittent but renewed again and again, supplied, as we saw, the town industries with a mass of proletarians entirely connected with the corporate guilds and unfettered by them; a fortunate circumstance that makes old A. Anderson (not to be confounded with James Anderson), in his "History of Commerce", believe in the direct intervention of Providence. We must still pause a moment on this element of primitive accumulation. The thinning-out of the independent, self-supporting peasants not only brought about the crowding together of the industrial proletariat, in the way that Geoffrey Saint Hilaire explained the condensation of cosmical matter at one place, by its rarefaction at another. [1] In spite of the smaller number of its cultivators, the soil brought forth as much or more produce, after as before, because the revolution in the conditions of landed property was accompanied by improved methods of culture, greater co-operation, concentration of the means of production, &c., and because not only were the agricultural wage-labourers put on the strain more intensely [2], but the field of production on which they worked for themselves became more and more contracted. With the setting free of a part of the agricultural population, therefore, their former means of nourishment were also set free. They were now transformed into material elements of variable capital. The peasant, expropriated and cast adrift, must buy their value in the form of wages, from his new master, the industrial capitalist. That which holds good of the means of subsistence holds with the raw materials of industry dependent upon home agriculture. They were transformed into an element of constant capital.

Suppose, *e.g.*, a part of the Westphalian peasants, who, at the time of Frederick II, all spin flax, forcibly expropriated and hunted from the soil; and the other part that remained, turned into day-labourers of large farmers. At the same time arise large establishments for flax-spinning and weaving, in which the men "set free" now work for wages. The flax looks exactly as before. Not a fibre of it is changed, but a new social soul has popped into its body. It forms now a part of the constant capital of the master manufacturer. Formerly divided among a number of small producers, who cultivated it themselves and with their families spun it in retail fashion, it is now concentrated in the hand of one capitalist, who sets others to spin and weave it for him. The extra labour expended in flax-spinning realized itself formerly in extra income to numerous peasant families, or maybe, in Frederick II's time, in taxes *pour le roi de Prusse*. It realises itself now in profit for a few capitalists. The spindles and looms, formerly scattered over the face of the country, are now crowded together in a few great labour-barracks, together with the labourers and the raw material. And spindles, looms, raw material, are now transformed from means of independent existence for the spinners and weavers, into means for commanding them and sucking out of them unpaid labour. [3] One does not perceive, when looking at the large manufactories and the large farms, that they have originated from the throwing into one of many small centres of production, and have been built up by the expropriation of many small independent producers. Nevertheless, the popular intuition was not at fault. In the time of Mirabeau, the lion of the Revolution, the great manufactories were still called *manufactures réunies*, workshops thrown into one, as we speak of field thrown into one. Says Mirabeau: "We are only paying attention to the grand manufactories, in which hundreds of men work under a director and which are commonly called *manufactures réunies*. Those where a very large number of labourers work, each separately and on his own account, are hardly considered; they are placed at an infinite distance from the others. This is a great error, as the latter alone make a really important object of national prosperity.... The large workshop (*manufacture réunie*) will enrich prodigiously one or two entrepreneurs, but the labourers will only be journeymen, paid more or less, and will not have any share in the success of the undertaking. In the discrete workshop (*manufacture séparée*), on the contrary, no one will become rich, but many labourers will be comfortable; the saving and the industrious will be able to amass a little capital, to put by a little for a birth of a child, for an illness, for themselves or their belongings. The number of saving and industrious laborers will increase, because they will see in good conduct, in activity, a means of essentially bettering their condition, and not of obtaining a small rise in wages that can never be of any importance of the future, and whose sole result is to place men in the position to live a little better, but only from day to day.... The large workshops, undertakings of certain private persons who pay labourers from day to day to work for their gain, may be able to put these private individuals at their ease, but they will never be an object worth the attention of governments. Discrete workshops,

for the most part combined with cultivation of small holdings, are the only free ones." [4] The expropriation and eviction of a part of the agricultural population not only set free for industrial capital, the labourers, their means of subsistence, and material for labour; it also created the home-market.

In fact, the events that transformed the small peasants into wage-labourers, and their means of subsistence and of labour into material elements of capital, created, at the same time, a home-market for the latter. Formerly, the peasant family produced the means of subsistence and the raw materials, which they themselves, for the most part, consumed. These raw materials and means of subsistence have now become commodities; the large farmer sells them, he finds his market in manufactures. Yarn, linen, coarse woollen stuffs — things whose raw materials had been within the reach of every peasant family, had been spun and woven by it for its own use — were now transformed into articles of manufacture, to which the country districts at once served for markets. The many scattered customers, whom stray artisans until now had found in the numerous small producers working on their own account, concentrate themselves now into one great market provided for by industrial capital. [5] Thus, hand in hand with the expropriation of the self-supporting peasants, with their separation from their means of production, goes the destruction of rural domestic industry, the process of separation between manufacture and agriculture. And only the destruction of rural domestic industry can give the internal market of country that extension and consistence which the capitalist mode of production requires. Still the manufacturing period, properly so called, does not succeed in carrying out this transformation radically and completely. It will be remembered that manufacture, properly so called, conquers but partially the domain of national production, and always rests on the handicrafts of the town and the domestic industry of the rural districts as its ultimate basis. If it destroys these in one form, in particular branches, at certain points, it calls them up again elsewhere, because it needs them for the preparation of raw material up to a certain point. It produces, therefore, a new class of small villagers who, while following the cultivation of the soil as an accessory calling, find their chief occupation in industrial labour, the products of which they sell to the manufacturers directly, or through the medium of merchants. This is one, though not the chief, cause of a phenomenon which, at first, puzzles the student of English history.[6] From the last third of the 15th century he finds continually complaints, only interrupted at certain intervals, about the encroachment of capitalist farming in the country districts, and the progressive destruction of the peasantry. On the other hand, he always finds this peasantry turning up again, although in diminished number, and always under worse conditions. The chief reason is: England is at one time chiefly a cultivator of corn, at another chiefly a breeder of cattle, in alternate periods, and with these the extent, supplies, in machinery, the lasting basis of capitalistic agriculture, expropriates radically the enormous majority of the

agricultural population, and completes the separation between agriculture and rural domestic industry, whose roots — spinning and weaving — it tears up. [7] It therefore also, for the first time, conquers for industrial capital the entire home-market. [8]

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